



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DENIED: April 5, 2021

CBCA 6178, 6179, 6180, 6181, 6182, 6183, 6184

BLM COMPANIES, LLC,

Appellant,

v.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,

Respondent.

Doug P. Hibshman and Nicholas T. Solosky of Fox Rothschild LLP, Washington, DC, counsel for Appellant.

Jonathan E. English and Julie K. Cannatti, Office of General Counsel, Department of Housing and Urban Development, Washington, DC, counsel for Respondent.

Before Board Judges **VERGILIO**, **DRUMMOND**, and **O'ROURKE**.

VERGILIO, Board Judge.

These appeals were stayed while similar cases were being resolved at this Board, then on appeal at the Federal Circuit. The Court affirmed “the Board’s determination that the contract terms unambiguously cover routine inspections through a monthly fee rather than individual payments,” which resulted in the denial of those appeals. *P.K. Management Group, Inc. v. Secretary of Housing & Urban Development*, 987 F.3d 1030, 1031 (Fed. Cir. 2021) (contract is unambiguous; plain meaning prevails). The contractor offers no basis to distinguish these cases, in which it makes similar contract interpretation allegations. The contractor has declined the opportunity to suggest a reason why these appeals should not be

denied, given the similarity of issues and the staying of these cases while the common issues were resolved.

Decision

The Board **DENIES** these appeals.

Joseph A. Vergilio
JOSEPH A. VERGILIO
Board Judge

We concur:

Jerome M. Drummond
JEROME M. DRUMMOND
Board Judge

Kathleen J. O'Rourke
KATHLEEN J. O'ROURKE
Board Judge